

From:FPCO Financial Crime / OCPF Criminalité Financière

Sent:Wed, 16 Feb 2022 22:04:07 -0500

To:Personal Info.

Subject:Emergency Economic Measures Order - Disclosure of information

Attachments:2022-02-16 EEMO - Info Sharing - RCMP to Financial Insitutions.pdf

Good evening Jessica,

Pursuant to the Emergency Economic Measures Order enacted on February 15, 2022, a Government of Canada, provincial or territorial institution may disclose information to any entity set out in section 3, if the disclosing institution is satisfied that the disclosure will contribute to the application of the Order. As such, the information may be shared with financial institutions. The RCMP is coordinating information sharing between law enforcement and listed entities. This email address has been created to facilitate that with myself, the RCMP point of contact.

In addition, pursuant to the Order, as an entity listed in section 3 there is a duty for financial institutions to disclose immediately to the Commissioner of the Royal Canadian Mounted Police (or CSIS),

(a) the existence of property in their possession or control that they have reason to believe is owned, held or controlled by or on behalf of a designated person; and

(b) any information about a transaction or proposed transaction in respect of property referred to in paragraph (a).

This information can be disclosed to this email. The RCMP requests that financial institutions advise of any action taken pursuant to the Order.

As you can imagine, there have been many questions today as we navigate this complex and unprecedented Order, particularly surrounding the term Designated Persons and who's responsibility it is to make the determination. The list of individuals disclosed today were identified as persons law enforcement had reason to believe were engaged in prohibited activities within the scope of section 2 to 5 of the *Emergency Measures Regulations*, based on the information available at the time of the disclosure, and therefore were believed to meet the definition of a Designated Person within the EEMO. Unfortunately, law enforcement doesn't possess the financial intelligence to make a list of all entities who may be conducting prohibited activities. That's where financial institutions will be relied upon to assess the information being disclosed in conjunction with account activities, etc. For example, someone may have gone home, but perhaps are still engaged in prohibited activities by providing property (i.e. funding) to facilitate a prohibited assembly and thus still subject to the Order.

The financial intelligence within a financial institution's holdings may also identify entities unknown to law enforcement conducting prohibited activities and thus wouldn't be included in a disclosure from the RCMP, but would meet the criteria of designated persons and thus also subject to the Order.

I hope the additional context helps. There will be more disclosures to follow and I have added your email to the distribution list.

I'm available for questions by email or phone.

Thank you for your assistance,
Kelley

Kelley Hughes (Cpl.)

Federal Policing Criminal Operations - Financial Crime (FPCO-FC) |
Opérations criminelles de la Police fédérale – Criminalité Financière (OCPF-CF)
Royal Canadian Mounted Police (RCMP) | Gendarmerie royale du Canada (GRC)
National Headquarters | Direction générale
Ottawa, ON
Phone/Tél: Irrelevant
kelley.hughes@rcmp-grc.gc.ca

This document is the property of the Royal Canadian Mounted Police (RCMP). It is loaned to your agency on the understanding that it is not to be further disseminated, reclassified, or used in affidavits, court proceedings, or other legal or judicial process without the consent of the originator. Distribution within your agency is to be done on a need-to-know basis. The document is to be protected in accordance with normal safeguards for law enforcement information. Please contact the sender for any clarifications regarding the information or the caveat.

.....
Ce document est la propriété de la Gendarmerie Royale du Canada (GRC). Il est prêté à votre organisme avec l'accord qu'il ne doit pas être distribué davantage, reclassifié, ou utilisé dans des affidavits, dans des procès de cour ou autre procès judiciaire ou légal. La distribution de ce document dans votre agence doit être faite seulement si nécessaire. Le document doit être protégé avec mesures de précaution normales conformément avec l'administration de la loi. S'il vous plait contacter l'expéditeur de ce message pour des clarifications concernant cette information ou pour une mise en garde.